

EXHIBIT C-1

NW NPR-A PLANNING AREA RECORD OF DECISION **LANGUAGE FROM APPENDIX B**

APPENDIX B: Stipulations and Required Operating Procedures

The stipulations and required operating procedures (ROP's) were developed through the IAP/EIS process. They are based on knowledge of the resources in the planning area and current industry practices. They are consistent with existing policies and laws.

In developing these stipulations and ROP's, BLM has tried not to include requirements that already exist as regulation or law. Most requirements identified here as stipulations constitute significant restrictions on the conduct of operations under a lease. For example, a stipulation that does not allow permanent facilities within one mile of a river could result in a well being located far enough from the (lessee's) optimum site to prevent an oil reservoir from being fully developed. Such restrictions must be attached to the lease. As part of a lease contract, lease stipulations are specific to the lessee. All oil and gas activity permits subsequently issued to a lessee will comply with the lease stipulations appropriate to the activity under review.

The ROP's are pre-application requirements, procedures, management practices, or design features that BLM adopts here as operational requirements. These requirements will be addressed through the permitting process. An oil and gas lease does not in itself authorize any on-the-ground activity. Seismic operations, drilling, ice road construction, pipeline construction, etc. require additional land use authorizations. Any applicant requesting such authorization will have to address the required operating procedures either before submitting the application (e.g., subsistence consultation, brant surveys) or as part of the application proposal (e.g., proposal states garbage will not be buried, or pipelines and roads will be separated by 500 ft or more). Requirements that are met prior to submission of the application, as well as procedures, practices, and design features that are an integral part of a proposal, do not need to be stipulated in a permit or lease. Because ROP's are identified in this ROD as operational requirements, not as lease stipulations, their applicability goes beyond the oil and gas leasing to any permitted activity where the requirement is relevant.

The Authorized Officer (AO) may add additional more restrictive stipulations as determined necessary by further NEPA analysis and as developed through consultation with other Federal, State, and NSB regulatory and resource agencies. Laws or regulations may require other Federal, State, and NSB permits (e.g., Clean Water Act [CWA] Section 404) for an oil and gas project to proceed. Specific State permits are required when the State has authority, under Federal or State law or regulation, to enforce the provision in question. Specific permits issued by Federal agencies other than BLM could include permit conditions that are more stringent than those presented below. Standardized stipulations that BLM commonly applies to authorized activities are listed in Appendix 13 of the Final IAP/EIS.

Definitions. The following definitions apply to stipulations and required operating procedures described here.

Active Floodplain: The lowland and relatively flat areas adjoining inland and coastal waters, including the flood-prone areas of offshore islands, composing, at a minimum, that area subject to a one percent or greater chance of flooding in any given year (also referred to as the 100-year or base floodplain).

Body of Water or Waterbody: A lake, river, stream, creek, or pond that holds water throughout the summer and supports a minimum of aquatic life.

Permanent Oil and Gas Facilities: Production facilities, pipelines, roads, airstrips, production pads, docks and other bottom-founded structures, seawater-treatment plants, and other structures associated with an oil and gas operation that occupy land for more than one winter season. Material sites and seasonal facilities such as ice roads and ice pads are excluded, even when the pads are designed for use in successive winters.

Exceptions to Lease Stipulations and Required Operating Procedures. As specified in Congressional legislation, exploration, development and production of the NPR-A shall be conducted in a manner that provides maximum protection for special areas, prevents unnecessary and undue surface damage, minimizes ecological disturbances, and avoids conflicts with subsistence activities. However, such protection efforts are generally not intended as a prohibition of petroleum and related activities. The BLM acknowledges that effective mitigation will come with some cost to oil and gas operations. However, a balance must be achieved to provide opportunities for successful oil and gas operations while providing maximum protection for the environment and local residents. While many prescriptive stipulations have been converted to performance-based lease stipulations and required operating procedures based on resource management objectives, there will remain a need to consider exceptions and modifications on a case-by-case basis. The following guidelines for considering and granting exceptions to stipulations or ROP's will be used.

In the event that an exception to a stipulation or ROP is requested and before an exception may be granted, the lessee/permittee shall demonstrate to the satisfaction of the AO that implementation of the stipulation or ROP is technically not feasible; or is economically prohibitive; or an environmentally preferable alternative is available and the alternative proposed by the lessee/permittee fully satisfies the objective(s) of the Lease Stipulation or ROP.

The lessee/permittee shall notify the AO in a timely manner that an exception is going to be requested. In demonstrating to the AO that the alternative proposal meets the above criteria, the lessee/permittee shall provide sufficient documentation (technical reports, new/revised procedures, scientific research results, etc.) to allow for a thorough review/evaluation of the proposal.

Before considering or granting an exception to a stipulation or ROP, consultation requirements must be met. Except in the case of an emergency, the AO shall consult with the appropriate Federal, State, and NSB regulatory and resource agencies before an exception may be granted. The AO's power to grant exceptions to a stipulation or ROP is limited to those subjects, uses, and permits over which the BLM has authority. Exceptions may be granted in emergencies involving human health and safety.

The BLM may also initiate an exception to a stipulation or ROP when information (technical reports, new/revised procedures, scientific research results, etc.) becomes available that demonstrates the alternative proposal satisfies the objective of the stipulation or ROP and meets the management objectives for the area in which the alternative is proposed. Before granting an exception (other than those granted for emergencies), whether proposed by the lessee/permittee or the BLM, the action shall undergo appropriate NEPA review.

A. Waste Prevention, Handling, Disposal; Spills, and Public Safety

A-1 Required Operating Procedure

Objective: Protect the health and safety of oil field workers and the general public by avoiding the disposal of solid waste and garbage near areas of human activity.

Requirement/Standard: Areas of operation shall be left clean of all debris.

A-2 Required Operating Procedure

Objective: Minimize impacts on the environment from non-hazardous waste generation.

Encourage continuous environmental improvement. Protect the health and safety of oil field workers and the general public. Avoid human-caused changes in predator populations.

Requirement/Standard: Lessees/permittees shall prepare and implement a comprehensive waste management plan for all phases of exploration and development, including seismic activities. Management decisions affecting waste generation shall be addressed in the following order of priority: 1) prevention and reduction, 2) recycling, 3) treatment, and 4) disposal. The plan shall be submitted to the AO for approval, in consultation with Federal, State and North Slope Borough regulatory and resource agencies, as appropriate (based on agency legal authority and jurisdictional responsibility), as part of a plan of operations or other similar permit application. The plan shall consider and take into account the following requirements:

- a) Methods to avoid attracting wildlife to food and garbage: All feasible precautions shall be taken to avoid attracting wildlife to food and garbage. (A current list of approved precautions, specific to type of permitted use, can be obtained from the AO.)
- b) Disposal of putrescible waste: Current requirements prohibit the burial of garbage. Lessees and permitted users shall have a written procedure to ensure that the handling and disposal of putrescible waste will be accomplished in a manner that prevents the attraction of wildlife. All putrescible waste shall be incinerated, backhauled, or composted in a manner approved by the AO. All solid waste, including incinerator ash, shall be disposed of in an approved waste-disposal facility in accordance with U.S. Environmental Protection Agency (EPA) and Alaska Department of Environmental Conservation (ADEC) regulations and procedures. The burial of human waste is prohibited except as authorized by the AO.
- c) Disposal of pumpable waste products: Except as specifically provided, BLM requires all pumpable solid, liquid, and sludge waste be disposed of by injection in accordance with EPA, ADEC, and the Alaska Oil and Gas Conservation Commission regulations and procedures. On-pad temporary muds and cuttings storage, as approved by ADEC, will be allowed as necessary to facilitate annular injection and/or backhaul operations.
- d) Disposal of wastewater and domestic wastewater: BLM prohibits wastewater discharges or disposal of domestic wastewater into bodies of fresh, estuarine, and marine water, including wetlands, unless authorized by the National Pollution Discharge Elimination System (NPDES) or State permit.

A-3 Required Operating Procedure

Objective: Minimize pollution through effective hazardous-materials contingency planning.

Requirement/Standard: For oil- and gas-related activities, a Hazardous-Materials Emergency-Contingency Plan shall be prepared and implemented before transportation, storage, or use of fuel or hazardous substances. The plan shall include a set of procedures to ensure prompt response, notification, and cleanup in the event of a hazardous substance spill or threat of a release.

Procedures applicable to fuel and hazardous substances handling (associated with transportation vehicles) may consist of Best Management Practices if approved by the AO. The plan shall include a list of resources available for response (e.g., heavy-equipment operators, spill-cleanup materials or companies), and names and phone numbers of Federal, State, and NSB contacts. Other Federal and State regulations may apply and require additional planning requirements. All staff shall be instructed regarding these procedures.

A-4 Required Operating Procedure

Objective: Minimize the impact of contaminants on fish, wildlife, and the environment, including wetlands, marshes and marine waters, as a result of fuel, crude oil and other liquid chemical spills. Protect subsistence resources and activities. Protect public health and safety.

Requirement/Standard: Before initiating any oil and gas or related activity or operation, including field research/surveys and/or seismic operations, lessees/permittees shall develop a comprehensive spill prevention and response contingency plan per 40 CFR 112 (OPA). The plan shall consider and take into account the following requirements:

- a) On-site clean-up materials. Sufficient oil-spill-cleanup materials (absorbents, containment devices, etc.) shall be stored at all fueling points and vehicle-maintenance areas and shall be carried by field crews on all overland moves, seismic work trains, and similar overland moves by heavy equipment.
- b) Storage Containers. Fuel and other petroleum products and other liquid chemicals shall be stored in proper containers at approved locations. Except during overland moves and seismic operations, fuel, other petroleum products, and other liquid chemicals designated by the AO in excess of 1,320 gallons in storage capacity, shall be stored within an impermeable lined and diked area or within approved alternate storage containers such as overpacks, capable of containing 110 percent of the stored volume.
- c) Liner Materials. Liner material shall be compatible with the stored product and capable of remaining impermeable during typical weather extremes expected throughout the storage period.
- d) Permanent Fueling Stations. Permanent fueling stations shall be lined or have impermeable protection to prevent fuel migration to the environment from overfills and spills.
- e) Proper Identification of Containers. All fuel containers, including barrels and propane tanks, shall be marked with the responsible party's name, product type, and year filled or purchased.
- f) Notice of Reportable Spills. Notice of any reportable spill (as required by 40 CFR 300.125 and 18 AAC 75.300) shall be given to the AO as soon as possible, but no later than 24 hours after occurrence.

A-5 Required Operating Procedure

Objective: Minimize the impact of contaminants from refueling operations on fish, wildlife, and the environment.

Requirement/Standard: Refueling of equipment within 500 ft of the active flood plain of any fish-bearing waterbody and 100 ft from non-fish-bearing water bodies is prohibited. Small caches (up to 210 gallons) for motorboats float planes, ski planes, and small equipment, e.g. portable generators and water pumps, will be permitted. The AO may allow storage and operations at areas closer than the stated distances if properly designed to account for local hydrologic conditions.

A-6 Required Operating Procedure

Objective: Minimize the impact on fish, wildlife, and the environment from contaminants associated with the exploratory drilling process.

Standard/Requirement: Surface discharge of reserve-pit fluids is prohibited unless authorized by applicable NPDES, ADEC, and NSB permits (as appropriate) and approved by the AO.

A-7 Required Operating Procedure

Objective: Minimize the impacts to the environment of disposal of produced fluids recovered during the development phase on fish, wildlife, and the environment.

Requirement/Standard: Procedures for the disposal of produced fluids shall meet the following:

- a) In upland areas, including wetlands, disposal will be by subsurface-disposal techniques. The AO may permit alternate disposal methods if the lessee demonstrates that subsurface disposal is not feasible or prudent and the alternative method will not result in adverse environmental effects.
- b) In marine waters, approval of discharges by the AO will be based on a case-by-case review of environmental factors and consistency with the conditions of an NPDES permit. Discharge of produced fluids will be prohibited at locations where currents and water depths, in combination with other conditions, are not adequate to prevent impacts to known biologically sensitive areas. Alternate disposal methods will require an NPDES permit certified by the State.

A-8 Required Operating Procedure

Objective: Minimize conflicts resulting from interaction between humans and bears during leasing and associated activities.

Requirement/Standard: Oil and gas lessees and their contractors and subcontractors will, as a part of preparation of lease operation planning, prepare and implement bear-interaction plans to minimize conflicts between bears and humans. These plans shall include measures to:

- a) Minimize attraction of bears to the drill sites.
- b) Organize layout of buildings and work areas to minimize human/bear interactions.
- c) Warn personnel of bears near or on drill sites and identify proper procedures to be followed.
- d) Establish procedures, if authorized, to deter bears from the drill site.
- e) Provide contingencies in the event bears do not leave the site or cannot be deterred by authorized personnel.
- f) Discuss proper storage and disposal of materials that may be toxic to bears.
- g) Provide a systematic record of bears on the site and in the immediate area.

B. Water Use for Permitted Activities

B-1 Required Operating Procedure

Objective: Maintain populations of, and adequate habitat for, fish and invertebrates.

Requirement/Standard: Water withdrawal from rivers and streams during winter is prohibited.

B-2 Required Operating Procedure

Objective: Maintain natural hydrologic regimes in soils surrounding lakes and ponds and maintain populations of, and adequate habitat for, fish and invertebrates.

Requirement/Standard: Water withdrawal from lakes may be authorized on a site-specific basis depending on size, water volume, depth and fish population and species diversification. Current water withdrawal requirements specify:

- a) Water withdrawals from any fish bearing lake 7 feet or deeper shall be limited to 15 percent of the estimated free water volume located beneath the ice.
- b) Water withdrawals from lakes with depths between 5 and 7 feet that contain only ninespine stickleback and/or Alaska blackfish are limited to up to 30 percent of the under-ice volume.
- c) Water withdrawal may be authorized from any lake if the proponent demonstrates that no fish

exist in the lake.

d) A water-monitoring plan may be required to assess draw down and water quality changes before, during, and after pumping any fish-bearing lake.

e) The removal of naturally grounded ice may be authorized from lakes and shallow rivers on a site-specific basis depending upon its size, water volume, depth, and fish population and species diversification.

f) Removed ice aggregate shall be included in the 15 percent or 30 percent (whichever is the appropriate case) withdrawal limits, unless otherwise approved.

g) Any water intake structures in fish-bearing waters shall be designed, operated and maintained to prevent fish entrapment, entrainment, or injury.

h) Compaction of snow cover or snow removal from fish-bearing water bodies shall be prohibited except at approved ice road crossings, water pumping stations on lakes or areas of grounded ice.

C. Winter Overland Moves and Seismic Work

The following stipulations and ROP's apply to overland moves, seismic work, and any similar cross-country vehicle use of heavy equipment on non-roaded surfaces during the winter season. These restrictions do not apply to the use of such equipment on ice roads after they are constructed.

C-1 Required Operating Procedure

Objective: Protect grizzly bear, polar bear, and marine mammal denning and/or birthing locations.

Requirement/Standard:

a) Cross-country use of heavy equipment and seismic activities are prohibited within ½ mile of occupied grizzly bear dens identified by Alaska Department of Fish & Game (ADF&G) unless alternative mitigation measures are approved by the AO in consultation with ADF&G.

b) Cross-country use of heavy equipment and seismic activities are prohibited within 1 mile of known or observed polar bear dens or seal birthing lairs. Operators shall consult with the U.S. Fish and Wildlife FWS (FWS) and/or NOAA Fisheries, as appropriate, before initiating activities in coastal habitat between October 30 and April 15.

C-2 Required Operating Procedure

Objective: Protect stream banks, minimize compaction of soils, and minimize the breakage, abrasion, compaction, or displacement of vegetation.

Requirement/Standard:

a) Ground operations shall be allowed only when frost and snow covers are at sufficient depths to protect the tundra. Ground operations shall cease when the spring snowmelt begins, approximately May 5 in the foothills area where elevations reach or exceed 500 ft, and approximately May 15 in the northern coastal areas. The exact dates will be determined by the AO.

b) Only low-ground-pressure vehicles shall be used for on-the-ground activities off ice roads or pads. A list of approved vehicles can be obtained from the AO. Limited use of tractors equipped with wide tracks or "shoes" will be allowed to pull trailers, sleighs, or other equipment with approved undercarriage. (**Note:** This provision does not include the use of heavy equipment such as front-end loaders and similar equipment required during ice road construction.)

c) Bulldozing of tundra mat and vegetation, trails, or seismic lines is prohibited; however, on existing trails, seismic lines or camps, clearing of drifted snow is allowed to the extent that the tundra mat is not disturbed.

d) To reduce the possibility of ruts, vehicles shall avoid using the same trails for multiple trips unless necessitated by serious safety or superseding environmental concern. This provision does not apply to hardened snow trails for use by low-ground-pressure vehicles such as Rolligons.

e) The location of winter ice roads shall be designed and located to minimize compaction of soils and the breakage, abrasion, compaction, or displacement of vegetation. Offsets may be required to avoid using the same route or track in the subsequent year.

C-3 Required Operating Procedure

Objective: Maintain natural spring runoff patterns, avoid flooding, prevent streambed sedimentation, protect water quality and protect stream banks.

Requirement/Standard: Crossing of waterway courses shall be made using a low-angle approach. Snow and ice bridges shall be removed, breached or slotted before spring breakup. Ramps and bridges shall be substantially free of soil and debris.

C-4 Required Operating Procedure

Objective: Avoid additional freeze down of deep-water pools harboring over-wintering fish and invertebrates used by fish.

Requirement/Standard: Travel up and down stream beds is prohibited. Rivers and streams shall be crossed at shallow riffles from point bar to point bar whenever possible.

D. Oil and Gas Exploratory Drilling

D-1 Lease Stipulation

Objectives: Protect fish-bearing rivers, streams and lakes from blowouts, and minimize alteration of riparian habitat.

Requirement/Standard: Exploratory drilling is prohibited in rivers and streams, as determined by the active floodplain, and fish-bearing lakes, except where the lessee can demonstrate on a site-specific basis that impacts would be minimal or it is determined that there is no feasible or prudent alternative.

D-2 Lease Stipulation

Objective: Minimize surface impacts from exploratory drilling.

Requirement/Standard: Exploratory drilling shall be limited to temporary facilities such as ice pads, ice roads, ice airstrips, temporary platforms, etc., unless the lessee demonstrates that construction of permanent facilities such as gravel airstrips, storage pads, and connecting roads is environmentally preferable or necessary to carry out exploration more economically.

E. Facility Design and Construction

E-1 Required Operating Procedure

Objective: Protect subsistence use and access to traditional subsistence hunting and fishing areas, and minimize the impact of oil and gas activities on air, land, water, fish and wildlife resources.

Requirement/Standard: All roads must be designed, constructed, maintained and operated to minimize environmental impacts and to protect subsistence use and access to traditional subsistence hunting and fishing areas. Subject to approval by the AO, the construction, operation and maintenance of oil field roads is the responsibility of the lessee. Note: This provision does not apply to intercommunity or other permanent roads constructed with public funds for general transportation purposes. This preserves the opportunity to plan, design and construct public transportation systems to meet the economic, transportation, and public health and safety needs of the State of Alaska and/or communities within NPR-A.

E-2 Lease Stipulation

Objective: Protect fish-bearing water bodies, water quality and aquatic habitats.

Requirement/Standard: The design and location of permanent oil and gas facilities within 500 feet of fish-bearing or 100 feet of non-fish-bearing water bodies will only be approved on a case-by-case basis if the lessee can demonstrate that impacts to fish, water quality, and aquatic and riparian habitats are minimal. (Note: Also refer to Area-Specific Stipulations and ROP's for Rivers (Stipulation K-1) and Deep Water Lakes (Stipulation K-2).)

E-3 Lease Stipulation

Objective: Maintain free passage of marine and anadromous fish, and protect subsistence use and access to traditional subsistence hunting and fishing.

Requirement/Standard: Causeways and docks are prohibited in river mouths or deltas. Artificial gravel islands and bottom-founded structures are prohibited in river mouths or active stream channels on river deltas. Causeways, docks, artificial islands, and bottom-founded structures shall be designed to ensure free passage of marine and anadromous fish and to prevent significant changes to nearshore oceanographic circulation patterns and water quality characteristics. A monitoring program may be required to address the objectives of water quality and free passage of fish.

E-4 Required Operating Procedure

Objective: Minimize the potential for pipeline leaks, the resulting environmental damage and industrial accidents.

Requirement/Standard: All pipelines shall be designed, constructed, and operated under an AO-approved Quality Assurance/Quality Control plan that is specific to the product transported.

E-5 Required Operating Procedure

Objective: Minimize impacts of the development footprint.

Requirement/Standard: Facilities shall be designed and located to minimize development footprint to the maximum extent practicable considering environmental, economic, and social impacts. **Note:** Where aircraft traffic is an issue, consideration shall be given to balancing gravel pad size and available supply storage capacity with potential reductions in the use of aircraft to support oil and gas operations.

E-6 Required Operating Procedure

Objective: Reduce the potential for ice-jam flooding, erosion, alteration of natural drainage patterns, and restriction of fish passage.

Requirement/Standard: Stream and marsh crossings shall be designed and constructed to ensure free passage of fish, maintain natural drainage, and minimal adverse effects to natural stream flow. **Note:** Bridges, rather than culverts, are the preferred method for crossing rivers. When necessary, culverts can be constructed on smaller streams, if they are large enough to avoid restricting fish passage or adversely affecting natural stream flow.

E-7 Required Operating Procedure

Objective: Minimize disruption of caribou movement and subsistence use.

Requirement/Standard: Pipelines and roads shall be designed to allow the free movement of caribou and the safe, unimpeded passage of the public while participating in traditional subsistence activities. Listed below are the accepted design practices:

- a) Above ground pipelines shall be elevated a minimum of 7 feet as measured from the ground to the bottom of the pipeline at vertical support members.
- b) In areas where facilities or terrain may funnel caribou movement, ramps over pipelines, buried pipelines, or pipelines buried under roads may be required by the AO after consultation with Federal, State, and North Slope Borough regulatory and resource agencies (as appropriate, based on agency legal authority and jurisdictional responsibility).

c) A minimum distance of 500 feet between pipelines and roads should be maintained when feasible. Separating roads from pipelines may not be feasible within narrow land corridors between lakes and where pipelines and roads converge on a drill pad.

E-8 Required Operating Procedure

Objective: Minimize the impact of mineral materials mining activities on air, land, water, fish, and wildlife resources.

Requirement/Standard: Gravel mine site design and reclamation will be in accordance with a plan approved by the AO. The plan shall consider:

- a) Locations outside the active flood plain.
- b) Design and construction of gravel mine sites within active flood plains to serve as water reservoirs for future use.
- c) Potential use of site for enhancing fish and wildlife habitat.

E-9 Required Operating Procedure

Objective: Avoidance of human-caused increases in populations of predators of ground nesting birds.

Requirement/Standard: Lessee shall utilize best available technology to prevent facilities from providing nesting, denning, or shelter sites for ravens, raptors, and foxes. The lessee shall provide the AO with an annual report on the use of oil and gas facilities by ravens, raptors and foxes as nesting, denning, and shelter sites.

E-10 Required Operating Procedure

Objective: Prevention of migrating waterfowl, including species listed under the Endangered Species Act, from striking oil and gas and related facilities during low light conditions.

Requirement/Standard: Except for safety lighting, illumination of higher structures shall be designed to direct artificial exterior lighting inward and downward, rather than upward and outward. All drilling structures, production facilities, and other structures that exceed 20 ft shall be illuminated as outlined above.

E-11 Required Operating Procedure

Objective: Minimize the take of species listed under the Endangered Species Act and minimize the disturbance of other species of interest from direct or indirect interaction with oil and gas facilities.

Requirement/Standard: In accordance with the guidance below, before the approval of facility construction, aerial surveys of breeding pairs of the following species shall be conducted within any area proposed for development.

Spectacled and/or Steller's Eiders: a) Surveys shall be conducted by the lessee for at least three (3) years before authorization of construction, if such construction is within the FWS North Slope Eider survey area (Map 62), and at least one (1) year outside that area. Results of aerial surveys and habitat mapping may require additional ground nest surveys. Spectacled and/or Steller's eider surveys shall be conducted following accepted BLM-protocol during the second week of June.

b) If spectacled and/or Steller's eiders are determined to be present within the proposed development area, the applicant shall consult with the FWS and BLM in the design and placement of roads and facilities in order to minimize impacts to nesting and brood-rearing eiders and their preferred habitats. Such consultation shall address timing restrictions and other temporary mitigating measures, construction of permanent facilities, placement of fill, alteration of eider habitat, aircraft operations, and introduction of high noise levels.

c) To reduce the possibility of spectacled and/or Steller's eiders from striking above-ground

utility lines (power and communication), such lines shall either be buried in access roads, or suspended on vertical support members, to the extent practical. Support wires associated with communication towers, radio antennas, and other similar facilities, shall be clearly marked along their entire length to improve visibility for low flying birds. Such markings shall be jointly developed through consultation with FWS.

Yellow-billed Loon: a) Aerial surveys shall be conducted by the lessee for at least 3 years before authorization of construction of facilities proposed for development that are within 1 mile of a lake 25 acres or larger in size. These surveys along shorelines of large lakes shall be conducted following accepted BLM protocol during nesting in late June and during brood rearing in late August.

b) Should yellow-billed loons be present, the design and location of facilities must be such that disturbance is minimized. Current accepted mitigation is a one-mile buffer around all recorded nest sites and a minimum 500-meter buffer around the remainder of the lake shoreline. Development may be prohibited within buffers or activities curtailed while birds are present.

E-12 Required Operating Procedure

Objective: Use ecological mapping as a tool to assess wildlife habitat before development of permanent facilities, to conserve important habitat types, including wetlands, during development.

Requirement/Standard: An ecological land classification map of the development area shall be developed before approval of facility construction. The map will integrate geomorphology, surface-form and vegetation at a scale, level of resolution, and level of positional accuracy adequate for detailed analyses of development alternatives. The map shall be prepared in time to plan one season of ground-based wildlife surveys, if deemed necessary by the AO, before approval of exact facility location and facility construction.

E-13 Required Operating Procedure

Objective: Protect cultural and paleontological resources.

Requirement/Standard: Lessees shall conduct a cultural and paleontological resources survey prior to any ground-disturbing activity. Upon finding any potential cultural or paleontological resource, the lessee or their designated representative shall notify the AO and suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the AO.

F. Use of Aircraft for Permitted Activities

F-1 Required Operating Procedure

Objective: Minimize the effects of low-flying aircraft on wildlife, traditional subsistence activities, and local communities.

Requirement/Standard: The lessee shall ensure that aircraft used for permitted activities maintain altitudes according to the following guidelines:

a) Aircraft shall maintain an altitude of at least 1,500 ft above ground level (AGL) when within ½ mile of cliffs identified as raptor nesting sites from April 15 through August 15 and within ½ mile of known gyrfalcon nest sites from March 15 to August 15, unless doing so would endanger human life or violate safe flying practices. Permittees shall obtain information from BLM necessary to plan flight routes when routes may go near falcon nests.

b) Aircraft shall maintain an altitude of at least 1,000 ft AGL (except for takeoffs and landings) over caribou winter ranges from December 1 through May 1, unless doing so would endanger human life or violate safe flying practices. Caribou wintering areas will be defined annually by the AO.

- c) The number of takeoffs and landings to support oil and gas operations with necessary materials and supplies should be limited to the maximum extent possible. During the design of proposed oil and gas facilities, larger landing strips and storage areas should be considered so as to allow larger aircraft to be employed, resulting in a fewer number of flights to the facility.
- d) Use of aircraft, especially rotary wing aircraft, near known subsistence camps and cabins or during sensitive subsistence hunting periods (spring goose hunting and fall caribou and moose hunting) should be kept to a minimum.
- e) Aircraft used for permitted activities shall maintain an altitude of at least 2,000 ft AGL (except for takeoffs and landings) over the Caribou Study Area (Map 91) from June 15 through July 31, unless doing so would endanger human life or violate safe flying practices.
- f) Aircraft shall maintain an altitude of at least 2,000 ft AGL (except for takeoffs and landings) over the Caribou Coastal Insect-Relief Areas (Map 91) from June 15 through July 31, unless doing so would endanger human life or violate safe flying practices.

G. Oil Field Abandonment

G-1 Lease Stipulation

Objective: Ensure the final disposition of the land meets the current and future needs of the public.

Requirement/Standard: Upon abandonment or expiration of the lease, all oil- and gas-related facilities shall be removed and sites rehabilitated to as near the original condition as practicable, subject to the review of the AO. The AO may determine that it is in the best interest of the public to retain some or all facilities.

H. Subsistence Consultation for Permitted Activities

"Consultation" may take place by in-person meetings, teleconference, videoconference, and exchange of written documents, e-mail, or other means appropriate to the circumstances. Consultation does not include public meetings that are primarily for the purpose of information distribution, unless it is explained at the beginning of the meeting that there is an open dialogue, and that comments, concerns, or other information are being actively solicited.

H-1 Required Operating Procedure

Objective: Provide opportunities for participation in planning and decision-making to prevent unreasonable conflicts between subsistence uses and oil and gas and related activities.

Requirement/Standard: Lessee/permittee shall consult directly with affected communities using the following guidelines.

- a) Before submitting an application to the BLM, the applicant shall consult with directly affected subsistence communities, the North Slope Borough, and the NPR-A Subsistence Advisory Panel to discuss the siting, timing and methods of proposed operations. Through this consultation, the applicant shall make every reasonable effort, including such mechanisms as conflict avoidance agreements and mitigating measures, to ensure that proposed activities will not result in unreasonable interference with subsistence activities.
- b) The applicant shall submit documentation of consultation efforts as part of its operations plan. Applicants should submit the proposed plan of operations to provide an adequate time for review and comment by the NPR-A Subsistence Advisory Panel and to allow time for formal government-to-government consultation with Native Tribal Governments. The applicant shall submit documentation of its consultation efforts and a written plan that shows how its activities, in combination with other activities in the area, will be scheduled and located to prevent unreasonable conflicts with subsistence activities. Operations plans must include a discussion of the potential effects of the proposed operation, and the proposed operation in combination with

other existing or reasonably foreseeable operations.

c) A subsistence plan addressing the following items must be submitted.

1. A detailed description of the activity(ies) to take place (including the use of aircraft).
2. A description of how the lessee/permittee will minimize and/or deal with any potential impacts identified by the AO during the consultation process
3. A detailed description of the monitoring effort to take place, including process, procedures, personnel involved and points of contact both at the work site and in the local community.
4. Communication elements to provide information on how the applicant will keep potentially affected individuals and communities up-to-date on the progress of the activities and locations of possible, short-term conflicts (if any) with subsistence activities. Communication methods could include holding community meetings, open house meetings, workshops, newsletters, radio and television announcements, etc.
5. Procedures necessary to facilitate access by subsistence users to conduct their activities.
6. In the event that no agreement is reached between the parties, the AO shall consult with the directly involved parties and determine which activities will occur, including the timeframes.
7. During development, monitoring plans must be established for new permanent facilities, including pipelines, to assess an appropriate range of potential effects on resources and subsistence as determined on a case-by-case basis given the nature and location of the facilities. The scope, intensity, and duration of such plans will be established in consultation with the AO and Subsistence Advisory Panel.

H-2 Required Operating Procedure

Objective: Prevent unreasonable conflicts between subsistence activities and geophysical (seismic) exploration.

Requirement/Standard: In addition to the consultation process described above for permitted activities, before applying for permits to conduct geophysical (seismic) exploration, the applicant shall consult with local communities and residents:

- a) Because of the large land area covered by typical geophysical operations and the potential to impact a large number of subsistence users during the exploration season, the permittee/operator will notify, in writing, all potentially affected long-term cabin and camp users.
- b) The official recognized list of cabin and campsite users is the North Slope Borough's 2001 (or most current) inventory of cabins and campsites.
- c) For the purpose of this standard, potentially affected cabins and campsites are defined as any camp or campsite within the boundary of the area subject to proposed geophysical exploration and/or within 1,200 feet of actual or planned travel routes used to supply the seismic operations while it is in operation.
- d) A copy of the notification letter and a list of potentially affected users shall also be provided to the office of the appropriate Native Tribal Government.
- e) Based on that consultation, the AO may prohibit seismic work up to 1,200 feet of any known, long-term, cabin or campsite. Generally, the AO will allow wintertime seismic work to be conducted within 300 feet of a long-term cabin or campsite that is not in use.

I. Orientation Programs Associated with Permitted Activities

I-1 Required Operating Procedure

Objective: Minimize cultural and resource conflicts.

Requirement/Standard: All personnel involved in oil and gas and related activities shall be provided information concerning applicable stipulations, required operating procedures, standards, and specific types of environmental, social, traditional, and cultural concerns that relate to the region. The lessee/permittee shall ensure that all personnel involved in permitted activities shall attend an orientation program at least once a year. The proposed orientation program shall

be submitted to the AO for review and approval and should:

- a) Provide sufficient detail to notify personnel of applicable stipulations and required operating procedures as well as inform individuals working on the project of specific types of environmental, social, traditional and cultural concerns that relate to the region.
- b) Address the importance of not disturbing archaeological and biological resources and habitats, including endangered species, fisheries, bird colonies, and marine mammals, and provide guidance on how to avoid disturbance.
- c) Include guidance on the preparation, production, and distribution of information cards on endangered and/or threatened species.
- d) Be designed to increase sensitivity and understanding of personnel to community values, customs, and lifestyles in areas in which personnel will be operating.
- e) Include information concerning avoidance of conflicts with subsistence, commercial fishing activities, and pertinent mitigation.
- f) Include information for aircraft personnel concerning subsistence activities and areas/seasons that are particularly sensitive to disturbance by low flying aircraft. Of special concern is aircraft use near traditional subsistence cabins and campsites, flights during spring goose hunting and fall caribou and moose hunting seasons, and flights near North Slope communities.
- g) Provide that individual training is transferable from one facility to another, except for elements of the training specific to a particular site.
- h) Include on-site records of all personnel who attend the program for so long as the site is active, though not to exceed the 5 most recent years of operations. This record shall include the name and dates(s) of attendance of each attendee.
- i) Include a module discussing bear interaction plans to minimize conflicts between bears and humans

J. Endangered Species Act Section 7 Consultation Stipulation

J-1 Lease Stipulation

The lease area may now or hereafter contain plants, animals, or their habitats determined to be threatened, endangered, or other special status species. BLM may recommend modifications to exploration and development proposals to further its conservation and management objective to avoid BLM-approved activity that will contribute to a need to list such a species or their habitat. BLM may require modifications to or disapprove proposed activity that is likely to result in jeopardy to the continued existence of a proposed or listed threatened or endangered species or result in the destruction or adverse modification of a designated or proposed critical habitat. BLM will not approve any ground-disturbing activity that may affect any such species or critical habitat until it completes its obligations under applicable requirements of the Endangered Species Act as amended, 16 U.S.C. § 1531 et seq., including completion of any required procedure for conference or consultation.

K. Area-Specific Lease Stipulations and Required Operating Procedures

K-1 Lease Stipulation—Rivers

Objective: Minimize the disruption of natural flow patterns and changes to water quality; the disruption of natural functions resulting from the loss or change to vegetative and physical characteristics of floodplain and riparian areas; the loss of spawning, rearing or over-wintering habitat for fish; the loss of cultural and paleontological resources; the loss of raptor habitat; impacts to subsistence cabin-and-camp-sites; the disruption of subsistence activities; and impacts to scenic and other resource values. (See ROP D-1 for restrictions on exploration activities.)

Requirement/ Standard: Permanent oil and gas facilities, including gravel pads, roads, airstrips, and pipelines, are prohibited in the stream bed and adjacent to the rivers listed below at the

distances identified. These setbacks are measured from the centerline of the river as determined by the current hydrology at the time of application. The standard setback is $\frac{1}{2}$ mile and increased to $\frac{3}{4}$ mile where subsistence cabins and campsites are numerous. Along the Colville River and a portion of the Ikpikpuk a 1-mile setback is required to protect important raptor habitat. (For locations along rivers where setback distances change, see Map 20 in the Final Northwest National Petroleum Reserve-Alaska Integrated Activity Plan/Environmental Impact Statement). On a case-by case basis, and in consultation with Federal, State, and North Slope Borough regulatory and resource agencies (as appropriate, based on agency legal authority and jurisdictional responsibility), essential pipeline and road crossings perpendicular to the main channel will be permitted (unless noted otherwise) through setback areas. The above setbacks may not be practical within river deltas. In these situations, permanent facilities shall be designed to withstand a 200-year flood event.

- a) Colville River: a 1-mile setback from the northern bluff (or bank if there is no bluff) of the Colville River extending the length of that portion of the river within the Planning Area. Road crossings intended to solely support oil and gas activities are prohibited. Note: This provision does not apply to intercommunity or other permanent roads constructed with public funds for general transportation purposes. This preserves the opportunity to plan, design, and construct public transportation systems to meet the economic, transportation, and public health and safety needs of the State of Alaska and/or communities within NPR-A.
- b) Ikpikpuk River: a $\frac{3}{4}$ -mile setback from the centerline of the Ikpikpuk River extending from the mouth south to Sec. 19, T7N, R11W, UM. From Sec. 19, T7N, R11W, UM to Sec. 4 T3N, R12W, UM, a 1-mile setback is required. Beginning at Sec. 4 T3N, R12W, UM, a $\frac{1}{2}$ -mile setback will be required to the confluence of the Kigalik River and Maybe Creek.
- c) Alaktak River: a $\frac{3}{4}$ -mile setback from the centerline of the Alaktak River extending from the mouth to the Ikpikpuk River.
- d) Chipp River: a $\frac{3}{4}$ -mile setback from the centerline of the Chipp River extending from the mouth to the Ikpikpuk River.
- e) Oumalik River: a $\frac{3}{4}$ -mile setback from the centerline of the Oumalik River from the mouth upstream to Sec. 5, T8N, R14W, UM, and a $\frac{1}{2}$ -mile setback from Sec. 5, T8N, R14W, UM, upstream to Sec. 2, T5N, R15W, UM.
- f) Titaluk River: a $\frac{1}{2}$ -mile setback from the centerline of the Titaluk River from the confluence with the Ikpikpuk River upstream to Sec. 1, T2N, R22W, UM.
- g) Kigalik River: a $\frac{1}{2}$ -mile setback from the centerline of the Kigalik River from the confluence with the Ikpikpuk River upstream to the Planning area boundary.
- h) Maybe Creek: a $\frac{1}{2}$ -mile setback from the centerline of the Maybe Creek from the confluence with the Ikpikpuk River upstream to Sec. 8, T2S R6W, UM.
- i) Topagoruk River: a $\frac{3}{4}$ -mile setback from the centerline of the Topagoruk River from the mouth upstream to the confluence with Ishuktak Creek. A $\frac{1}{2}$ -mile setback from each bank upstream from the confluence with the Ishuktak to Sec. 3, T7N, R17W, UM.
- j) Ishuktak Creek: a $\frac{1}{2}$ -mile setback from the centerline of Ishuktak Creek from the confluence with the Topagoruk River to Sec. 24, T8N, R16W, UM.
- k) Meade River: a $\frac{3}{4}$ -mile setback from the centerline of the Meade River upstream to Sec. 6, T6N, R21W, UM. A $\frac{1}{2}$ -mile setback from each bank upstream from Sec. 6, T6N, R21W, UM to the Planning area boundary.
- l) Usuktuk River: a $\frac{3}{4}$ -mile setback from the centerline of the Usuktuk River upstream from the confluence with the Meade River to Sec. 36, T10N, R19W, UM.
- m) Pikroka Creek a $\frac{3}{4}$ -mile setback from the centerline of the Pikroka Creek upstream from the confluence with the Meade River to Sec. 11, T8N, R23W, UM.
- n) Nigisakturik River: a $\frac{3}{4}$ -mile setback from the centerline of the Nigisakturik River upstream from the confluence with the Meade River to Sec. 1, T11N, R25W, UM.
- o) Inaru River: a $\frac{3}{4}$ -mile setback from the centerline of the Inaru River from the mouth upstream

to Sec. 17, T15N, R25W, UM.

p) Kucheak Creek: a $\frac{3}{4}$ -mile setback from the centerline of Kucheak Creek from the confluence with the Inaru River upstream to Sec. 20, T13N, R24W, UM.

q) Avalik River: a $\frac{1}{2}$ -mile setback from the centerline of the Avalik River along that portion of the river within the Planning area.

r) Niklavik Creek: a $\frac{1}{2}$ -mile setback from the centerline of the Niklavik Creek from the confluence with the Inaru River upstream to Sec. 5, T17N, R21W, UM.

K-2 Lease Stipulation–Deep Water Lakes

Objective: Minimize the disruption of natural flow patterns and changes to water quality; the disruption of natural functions resulting from the loss or change to vegetative and physical characteristics of deep water lakes; the loss of spawning, rearing or over wintering habitat for fish; the loss of cultural and paleontological resources; impacts to subsistence cabin- and camp-sites; and the disruption of subsistence activities.

Requirement/ Standard: Permanent oil and gas facilities, including gravel pads, roads, airstrips, and pipelines, are prohibited on the lake or lakebed and within $\frac{1}{4}$ mile of the ordinary high water mark of any deep lake as determined to be in lake zone III, i.e., depth > 4 meters (Mellor, 1985). On a case-by case basis, and in consultation with Federal, State and North Slope Borough regulatory and resource agencies (as appropriate based on agency legal authority and jurisdictional responsibility), essential pipeline, road crossings and other permanent facilities may be permitted through or in these areas where the lessee can demonstrate on a site-specific basis that impacts would be minimal or it is determined that there is no feasible or prudent alternative.

K-3 Lease Stipulation–Dease Inlet, Admiralty Bay, Elson Lagoon, and Associated Barrier Islands

Lease stipulations for Dease Inlet, Admiralty Bay, Elson Lagoon, and the Barrier Islands, contain specific criteria that have been incorporated into stipulation language. Because of sensitive biological resources and/or subsistence concerns of Dease Inlet, Admiralty Bay, Elson Lagoon, and inland of the Barrier Islands, the standard(s) for exploration and development activities are set high with the burden of proof resting with the lessee to demonstrate to the AO that granting an approval is warranted.

Objective: Protect fish and wildlife habitat, preserve air and water quality, and minimize impacts to traditional subsistence activities and historic travel routes on Dease Inlet, Admiralty Bay, and Elson Lagoon.

Requirement/Standard (Exploration): Oil and gas exploration operations (e.g., drilling, seismic exploration, and testing) are not allowed on Dease Inlet, Admiralty Bay, and Elson Lagoon (including natural and barrier islands), between May 15 and October 15 of each season. Requests for approval of any activities must be submitted in advance and must be accompanied by evidence and documentation that demonstrates to the satisfaction of the Authorized Office that the actions or activities meet all of the following criteria:

- a) Exploration activities will not unreasonably conflict with traditional subsistence uses or significantly impact seasonally concentrated fish and wildlife resources.
- b) There is adequate spill response capability to effectively respond during periods of broken ice and/or open water, or the availability of alternative methods to prevent well blowouts during periods when adequate response capability cannot be demonstrated. Such alternative methods may include improvements in blowout prevention technology, equipment and/or changes in operational procedures and "top-setting" of hydrocarbon-bearing zones.
- c) Reasonable efforts will be made to avoid or minimize impacts related to oil spill response activities, including vessel, aircraft, and pedestrian traffic will be conducted to minimize additional impacts or further compounding of "direct spill" related impacts on area resources and

subsistence uses.

d) The location of exploration and related activities shall be sited so as to not pose a hazard to navigation by the public using high-use traditional subsistence-related travel routes into and through Dease Inlet, Admiralty Bay and Elson Lagoon, as identified by the North Slope Borough, recognizing that marine and nearshore travel routes change over time, subject to shifting environmental conditions.

e) Before conducting open water activities, the lessee shall consult with the Alaska Eskimo Whaling Commission and the North Slope Borough to minimize impacts to the fall and spring subsistence whaling activities of the communities of the North Slope.

Requirement/Standard (Development): With the exception of linear features such as pipelines, no permanent oil and gas facilities are permitted on or under the water within $\frac{3}{4}$ mile seaward of the shoreline (as measured from mean high tide) of Dease Inlet, Admiralty Bay, and Elson Lagoon or the natural islands (excluding Barrier Islands). Elsewhere, permanent facilities within Dease Inlet, Admiralty Bay, and Elson Lagoon will only be permitted on or under the water if they can meet all the following criteria:

f) Design and construction of facilities shall minimize impacts to traditional subsistence uses, travel corridors, seasonally concentrated fish and wildlife resources.

g) Daily operational activities, including use of support vehicles, watercraft, and aircraft traffic, alone or in combination with other past, present, and reasonably foreseeable activities, shall be conducted to minimize impacts to traditional subsistence uses, travel corridors, and seasonally concentrated fish and wildlife resources.

h) The location of oil and gas facilities, including artificial islands, platforms, associated pipelines, ice or other roads, bridges or causeways, shall be sited and constructed so as to not pose a hazard to navigation by the public using traditional high-use subsistence-related travel routes into and through Dease Inlet, Admiralty Bay and Elson Lagoon as identified by the North Slope Borough.

i) Demonstrated year-round oil spill response capability, including the capability of adequate response during periods of broken ice or open water, or the availability of alternative methods to prevent well blowouts during periods when adequate response capability cannot be demonstrated. Such alternative methods may include seasonal drilling restrictions, improvements in blowout prevention technology, equipment and/or changes in operational procedures, and "top-setting" of hydrocarbon-bearing zones.

j) Reasonable efforts will be made to avoid or minimize impacts related to oil spill response activities, including vessel, aircraft, and pedestrian traffic that add to impacts or further compound "direct spill" related impacts on area resources and subsistence uses.

k) Before conducting open water activities, the lessee shall consult with the Alaska Eskimo Whaling Commission and the North Slope Borough to minimize impacts to the fall and spring subsistence whaling activities of the communities of the North Slope

K-4 Required Operating Procedure—Brant Survey Area

Objective: Minimize the loss or alteration of habitat for, or disturbance of, nesting and brood rearing brant in the Brant Survey Area.

Requirement/Standard:

a) Aerial surveys for brant nesting colonies and brood-rearing areas shall be conducted for a minimum of 2 years before authorization of construction of permanent facilities. At a minimum, the survey area shall include the proposed development site(s) (i.e., the footprint) and the surrounding $\frac{1}{2}$ -mile area. These surveys shall be conducted following accepted BLM protocol.

b) Development may be prohibited or activities curtailed within $\frac{1}{2}$ mile of all identified brant nesting colonies and brood-rearing areas identified during the 2-year survey.

K-5 Required Operating Procedure—Caribou Study Area

Requirement/Standard: Before authorization of construction of permanent facilities, the lessee shall design and implement a study of caribou movement, especially during the insect season. The study would include a minimum of 3 years of current data on caribou movements. The study design shall be approved by the AO and should provide information necessary to determine facility (including pipeline) design and location. Lessees may submit individual study proposals or they may combine with other lessees in the area to do a single, joint study for the entire Caribou Study Area. Study data may be gathered concurrently with other activities.

K-6 Lease Stipulation—Coastal Areas

Objective: Minimize hindrance or alteration of caribou movement within caribou coastal insect-relief areas; to prevent contamination of marine waters; loss of important bird habitat; alteration or disturbance of shoreline marshes; and impacts to subsistence resources activities.

Requirement/Standard: In the Coastal Area, permanent oil and gas facilities, including gravel pads, roads, airstrips, and pipelines established to support exploration and development activities shall be located at least $\frac{3}{4}$ mile inland from the coastline to the extent practicable. Where, as a result of technological limitations, economics, logistics, or other factors, a facility must be located within $\frac{3}{4}$ mile inland of the coastline, the practicality of locating the facility at previously occupied sites, such as the former Cape Simpson, Peard Bay, or Wainwright DEW-line sites, shall be considered. Use of existing sites within $\frac{3}{4}$ mile of the coastline shall also be acceptable where it is demonstrated that use of such sites will reduce impacts to shorelines or otherwise be environmentally preferable. All lessees/permittees involved in activities in the immediate area must coordinate use of these new or existing sites with all other prospective users.

K-7 Required Operating Procedure—Colville River Special Area

Objective: Prevent or minimize loss of raptor foraging habitat.

Requirement/Standard: If necessary to construct permanent facilities within the Colville River Special Area, all reasonable and practicable efforts shall be made to locate permanent facilities as far from raptor nests as feasible. Within 15 mile of raptor nest sites, significant alteration of high quality foraging habitat shall be prohibited unless the lessee can demonstrate on a site-specific basis that impacts would be minimal or it is determined that there is no feasible or prudent alternative. Of particular concern are ponds, lakes, wetlands, and riparian habitats. Note: On a case-by case basis, and in consultation with appropriate Federal and State regulatory and resource agencies, essential pipeline and road crossings will be permitted through these areas where no other options are available.

K-8 Lease Stipulation—Kasegaluk Lagoon Special Area

Objective: Protect the habitat of the fish, waterfowl, and terrestrial and marine wildlife resources of Kasegaluk Lagoon, and protect traditional subsistence uses and public access to and through Kasegaluk Lagoon for current and future generations of North Slope residents.

Requirement/Standard: Within the Kasegaluk Lagoon Special Area, oil and gas leasing is approved subject to the decision to defer the implementation of oil and gas leasing in the "Leasing Deferral Area." When leasing is implemented, no permanent oil and gas facilities are permitted within the boundary of the Special Area. Geophysical (seismic) exploration is authorized subject to the terms and conditions provided in other applicable ROP's. No restrictions are imposed on traditional subsistence activities and access for subsistence purposes.